

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1515 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

GUJARAT STATE TEXTILE CORPN LTD.

Versus

REGIONAL PROVIDENT FUND COMMISSIONER

Appearance:

MR TN RAY for Petitioners

None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 09/10/97

ORAL JUDGEMENT

Heard the learned counsel for the petitioners and perused the special civil application.

For the reasons and grounds given in the judgment as delivered in special civil application No.2454/89 this special civil application does not survive and the same is dismissed only on the ground of availability of

alternate remedy of appeal against the order annexure 'D' dated 28-11-1987 impugned in this special civil application. However, in case the petitioner prefers an appeal against the impugned order within month before the Appellate Tribunal then the same may not be dismissed only on the ground of limitation and it should be decided only on merits. In this case the interim relief granted by this Court in terms of para-18(b) of the special civil application and operation of the impugned order has been stayed. This stay is operating for all these years, and as such, the interim relief granted by this Court is extended for six weeks and it is made clear that the Tribunal thereafter shall consider the matter for extension of interim relief in accordance with law and the Tribunal shall not be influenced with the fact that this Court has protected the petitioner by grant of interim relief. Rule discharged subject to the aforesaid directions.

zgs/-